

## **Development Opportunity Sale of City-owned Vacant Land**

### **General Information**

- Properties offered are surplus vacant lots, generally zoned for residential or commercial use.
- Buyers must not be considered a prohibited purchaser by the City of Rochester.
- Buyers who own property in the city must be current in their tax payments, and cannot have any outstanding code violations against other property they own.
- Buyers who purchase and develop City-owned real estate are restricted to a maximum of 3 simultaneous projects.
- The City of Rochester has the right in its sole and absolute discretion to accept or reject any and all proposals.
- The City reserves the right to withdraw from sale any or all of the properties listed at any time prior to City Council approval.

### **Completing a development proposal**

All bidders must complete a development proposal describing the intended use of the property, estimated construction costs, construction schedule and detailed information about purchase and construction financing. The City may, at its discretion, approve a proposal from an adjoining owner which does not call for site improvements, providing the purchaser agrees to combine the City-owned lot with the property they currently own.

The development proposal must state the amount of the bid placed by the buyer. Minimum bid for each property shall be noted on the individual listing.

For proposals which entail new construction, buyers are encouraged to obtain cost estimates from a knowledgeable contractor or architect. Prior to submitting a proposal, the proposed use of the property should be reviewed with the City's Bureau of Planning and Zoning, Room 121-B, to verify compliance with the City Zoning Code. The Zoning office phone number is 585-428-7043.

Bidders must also submit a Purchaser Information Form which identifies the buyer(s) and itemizes other property they own within the City.

### **Placing a bid**

Bids must consist of the following 3 items:

- 1) Completed proposal outline describing your bid price, intended use, cost estimate, financing plan and schedule for making the improvements to the site, and
- 2) Signed and completed Purchaser Information Form, and
- 3) Deposit of \$100, payable in cash, money order or by cashier's check payable to: City Treasurer. Credit cards, personal checks, business checks WILL NOT be accepted. Deposit will be refunded if the proposal is not approved.

**Placing a bid (continued)**

The City will open bids at the conclusion of the offering period. Sale will be awarded to the bidder who submits a proposal which meets with City approval. Proposal deadline is specified with each property offered.

All bids must be delivered to the following address:

**City of Rochester  
Division of Real Estate  
30 Church Street, Room 125B  
Rochester NY 14614.**

**Proposal Review:**

Proposals will be reviewed by City staffpersons with expertise in real estate, zoning and building codes, urban planning and economic development. The proposals will be selected based on the following criteria: appropriate legal and practical use for property, expertise of proposed development team, accuracy of cost estimate, time frame to complete the project, financial capacity and compatibility of use for the surrounding area.

Preference will be given to proposals for construction of taxable improvements. However, the City may waive the construction requirement for adjoining owners. In the case of a sale to an adjoining owner, the lot must be combined with property they currently own.

Final proposal selections will be made approximately 60 days after submission of bids. All bidders will be notified of the result of the proposal review in writing. If a proposal is not accepted, the deposit will be refunded to the bidder.

**Proposal Selection:**

After a proposal is selected, an acceptance letter will be mailed to the purchaser. The correspondence will include four (4) purchase offers, all of which must be signed and returned with the balance of the purchase price and an in-lieu of tax payment. The acceptance letter will set forth the amount to be paid and will contain instructions for finalizing the sale.

**Council Approval:**

When the signed purchase offers and payment are received by the City, the sale will then be submitted to City Council for approval.

Following City Council's approval of the sale, the buyer assumes care, custody and control of the property. Buyers are notified of City Council approval by mail.

Buyers should NOT begin work on any site improvements until approval for such improvements has been granted by the Zoning and/or Permit office.

**Completion of improvements / final closing:**

When the work has been completed in compliance with all applicable City codes, the City Law Department will record the deed in the purchaser's name.

## **RIGHTS RESERVED BY THE CITY OF ROCHESTER**

- Only proposals that comply with all provisions, requirements, terms and conditions of this Request will be considered for review by the City.
- The City of Rochester reserves the right to request more detailed information from one or more proposers before the final selection is made.
- All materials submitted in response to the City's Request become the City's property without obligation of the City to return such materials.
- All determinations of completeness of any submission and its compliance with the provisions, requirements, terms and conditions of this Request and the eligibility or qualifications of any proposer shall be in the sole and absolute discretion of the City of Rochester.
- The City of Rochester may waive any of the provisions, requirements, terms and conditions of this Request.
- Subsequent to submission of proposals in response to this request, the City in the exercise of its sole and absolute discretion, may enter into parallel negotiations with two or more proposers, may designate two or more proposers for "short list" consideration, may request best and final offers, and/or may conduct other additional competitive proceedings with respect to the potential disposition covered by this request.
- The City reserves the right to issue an addendum should it become necessary to revise any section of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning the RFP.
- The City, at its sole discretion, reserves the right to accept or reject any and all responses received under this RFP solicitation, to waive minor irregularities, and to conduct discussions with all responsible respondents, in any manner necessary, to serve the best interest on the City of Rochester.
- The City has no obligation to discuss its reasons for selecting, accepting or rejecting any proposals with any proposers or representatives of said proposers.
- The City shall not be liable for any costs or expenses (including but not limited to the foregoing costs and expenses of legal counsel) incurred by any proposer in responding to this Request.
- All costs and expenses incurred by each proposer in connection with this RFP will be borne by the proposer, including without limiting the foregoing, all costs and expenses in connection with: surveys, reports, plans, designs, schematics, studies, research and any other due diligence work; preparation of each proposal; advice and representation of legal counsel responding to this Request.
- The City reserves the right to withdraw from sale any or all of the properties listed at any time prior to City Council approval.
- Proposals shall be accepted from principals only. No brokerage fees, finder's fees, commissions or other compensation will be payable by the City.